

Notice of Allowability

Application No.

09/697,398

Examiner

Thu Ha T. Nguyen

Applicant(s)

MILLER ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment after final filed on June 03, 2004.
2. ☒ The allowed claim(s) is/are 1,3-12,14-16 and 18-24.
3. ☒ The drawings filed on 27 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

HOSAIN ALAM

SUPERVISORY PATENT EXAMINER

Reasons for Allowance

1. Claims 1, 3-12, 14-16, and 18-24 are allowed.
2. The following is an examiner's statement of reasons for allowance: Claims 2, 5-6, 13, 17, and 20 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant amended independent claims 1, 5, 12, 16, 20, 22, and 23 to include all of the limitations of objected claims 2, 5-6, 13, 17, and 20. Therefore, claims 1, 5, 12, 16, 20, 22, and 23 are allowed, likewise each dependent claims are allowed at least by virtue of their dependency on independent claims.
3. Prior art of records teach a method and system of processing a request in a clustered computer system to organize a plurality of members into a group in a local member from a plurality of members wherein determining a group leader; selecting a group leader and transmitting group data to group members. However, none of prior arts teach or suggest the combination of locally determining and electing a subgroup leader, within a local member for a subgroup with which the local member is associated, with each subgroup leader responsible for sending group data on behalf of the subgroup; an acknowledge round is then performed to confirm all members receive the group data; checking if any members failed; if so, that subgroup elects a new subgroup leader, and only that new subgroup leader sends the group data, but only if it is determined that the group data was not already sent by a previous leader.

Art Unit: 2155

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (703) 305-7447. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam, can be reached at (703) 308-6662.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications.

Thu Ha Nguyen

July 16, 2004


HOSAIN ALAM
SUPERVISORY PATENT EXAMINER

BEST AVAILABLE COPY